IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 15444 of 2004

Between:

K. Naga Satyanarayana Murthy, Hindu, S/o Krishna Murthy,
R/o Samisragudem, Nidadavolu Mandal,

West Godavari District.

..... PETITIONER

AND

1.The Commissioner of Endowments, Andhra Pradesh ,

Boggulakunta,Hyderabad.

2. The Assistant Commissioner of Endowments, V.R.P.P. Road,

Powerpet, Eluru, W.G. District.

3. Sri Gubbalamma Ammavari Temple, rep. by its Person-in-

Management.Gopavaram, Nidadavole Mandal,

West Godavari District,

4 V. Ganga Raju @ Tatayya, S/o Sri Veeranna,
R/o Tallapalem, Nidadavolu Mandal,

West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of *Mandamus* declaring the inaction of 2nd respondent in completing the enquiry against the 4th respondent with regard to his eligibility to held the post of

Clerk in the 3rd respondent temple, as illegal, arbitrary and unjust and consequently direct the respondents to complete the enquiry against the 4th respondent as expeditiously as possible and take action against him pursuant to the same.

For the Petitioner: MR.N.SIVA REDDY, ADVOCATE

For the Respondents 1 and 2: GP FOR ENDOWMENTS

For the Respondent No.3: Smt. N. Indrani, ADVOCATE

The Court at the admission stage made the following:

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THE HON'BLE SRI JUSTICE DR. G.YETHIRAJULU

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WRIT PETITION NO.15444 OF 2004

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O R D E R:

The petitioner is working as a Clerk in the third respondent temple, which is under the control of the Endowments Department. The petitioner claims that he is the founder of the temple and he appointed the fourth respondent as a watchman. Subsequently the fourth respondent was promoted as a clerk and he is drawing the salary as approved by the second respondent. The petitioner contends that the entire income of the temple is spent for the salary of the clerk, leaving no money with the temple for daily rituals.

2. The petitioner contends that despite his protest to the second respondent that the fourth respondent does not possess requisite qualification to hold the post of the clerk, the second respondent granted him the scale of a clerk, therefore, he complained to the first and second respondents and the Government to remove the fourth respondent as a clerk after holding an enquiry. An enquiry was ordered and it is pending with the second respondent. The further grievance of the petitioner is that the second respondent due to the reasons best known to him, he is postponing the enquiry for the last one year without concluding the enquiry regarding the allegations that the fourth respondent does not possess the requisite qualification. Therefore, he approached this court seeking a direction to the second respondent to conclude the enquiry at the earliest and to pass appropriate orders.

4 . In the light of the circumstances explained by the petitioner, the second respondent is directed to conclude the enquiry within three months from the date of receipt of copy of this order by giving an opportunity to both parties and pass appropriate orders according to law.

5. Accordingly, the writ petition is disposed of.

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(Dr. G. YETHIRAJULU,J)

30th August, 2004.

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Commissioner of Endowments, Andhra Pradesh,

Boggulakunta, Hyderabad.

2. The Assistant Commissioner of Endowments, V.R.P.P. Road,

Powerpet, Eluru, W.G. District.

3. The Person-in-Management, Sri Gubbalamma Ammavari Temple,

Gopavaram, Nidadavole Mandal,

West Godavari District,

4. Two CCs to G.P. for Endowments, High Court Buildings,

Hyderabad (O.U.T.)

5. Two CD copies